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7 BRIGHTEDGE TECHNOLOGIES, INC.,  
8 Plaintiff,  
9 v.  
10 SEARCHMETRICS, GMBH., et al.,  
11 Defendants.

12 Case No. [14-cv-01009-WHO](#) (MEJ)

13 **DISCOVERY ORDER**

14 Re: Dkt. No. 44

15 The Court is in receipt of Plaintiff BrightEdge Technologies request that the Court relieve  
16 it of the in person meet and confer requirement for discovery disputes regarding its requests for  
17 production, and that the Court grant Plaintiff leave to file its letters on these disputes without  
18 needing to obtain Defendants' portions. Dkt. No. 44. Defendants Searchmetrics GmbH and  
19 Searchmetrics, Inc. have filed a response, arguing that Plaintiff's request is an improper attempt to  
20 bypass this Court's requirements that parties meet and confer in good faith to genuinely attempt to  
21 resolve disputes prior to involving the Court. Dkt. No. 46. Defendants maintain that Plaintiff  
22 seeks to unilaterally impose unreasonable and arbitrary meet and confer requirements on them to  
23 obstruct the discovery process and harass and them.

24 Upon review of the parties' filings, the Court DENIES Plaintiff's requests to relieve it of  
25 the in person meet and confer requirement and file its letters without Defendants' portions. The  
26 parties are ORDERED to meet and confer, over a reasonable timeframe and in good faith, to  
27 discuss these disputes. After the parties have discussed the issues, understand the other party's  
28 positions, and determine they cannot reach agreement, the parties should then meet and confer in  
person in a genuine attempt to try to resolve the dispute before involving the Court. So as to  
ensure compliance with the spirit of the meet and confer requirement, the parties shall make a

1 contemporaneous record of any in person meeting using a court reporter or electronic recording  
2 device. The parties are advised that, if any joint letters are filed, the Court may request a copy of  
3 the transcript from the in person meeting.

4 **IT IS SO ORDERED.**

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6 Dated: July 17, 2014

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MARIA-ELENA JAMES  
United States Magistrate Judge